

## Guardianship and Conservatorship Program Regulations

### 512 DISCIPLINE FROM OTHER JURISDICTIONS; DUTY TO SELF-REPORT

1. **Duty To Self-Report Discipline.** Within thirty (30) days of being disciplined in another jurisdiction as a certified professional guardian or conservator, whatever term may be appropriate in that other jurisdiction, a CPGC must inform the AOC of the discipline.
2. **Obtaining Order.** Upon notification from any source that a CPGC certified in this state was disciplined in another jurisdiction, the AOC must obtain a copy of the Order and file it with the Standards of Practice Committee.
3. **Standards of Practice Committee Action.** Upon receipt of information demonstrating that a CPGC certified in this state has been disciplined in another jurisdiction, the Standards of Practice Committee may order the respondent CPGC to show cause within thirty (30) days of service of the show cause order why it should not impose the identical discipline. The AOC must serve this Order by certified mail, and a copy of the Order from the other jurisdiction, on the respondent.
4. **Deferral.** If the other jurisdiction has stayed the discipline, any reciprocal discipline in this state is deferred until the stay expires.
5. **Discipline to Be Imposed.**
  - A. Thirty (30) days after service of the Order under Section (3), the Standards of Practice Committee may impose the identical discipline unless the CPGC demonstrates or the Standards of Practice Committee finds, that it clearly appears on the face of the record on which the discipline is based, that:
    - i. The procedure so lacked notice or opportunity to be heard that it denied due process;
    - ii. The proof of misconduct was so weak that the Standards of Practice Committee is clearly convinced that it cannot, consistent with its duty, accept the finding of misconduct or disability;
    - iii. The imposition of the same discipline would result in grave injustice;
    - iv. The established misconduct warrants substantially different discipline in this state; or

- v. Appropriate discipline has already been imposed in this jurisdiction for the misconduct.
  
  - B. If the Standards of Practice Committee determines that any of the factors in subsection (A) exist, it enters an appropriate order. The burden is on the party seeking different discipline in this jurisdiction to demonstrate that imposing the same discipline is not appropriate.
6. **Conclusive Effect.** Except as this rule otherwise provides, a final adjudication in another jurisdiction that a CPGC has engaged in misconduct conclusively establishes the misconduct for purposes of a disciplinary proceeding in this state.
7. **Affidavit of Compliance.** Within ten (10) days of the effective date of the decertification or suspension order, the decertified or suspended professional guardian and conservator shall file with the AOC:
- A. An affidavit attesting to full compliance with the provisions of the order, and with these regulations, including current mailing address.
  - B. A copy of the notification letter sent to all parties entitled to notice, together with a list of the names and addresses of all persons to whom the notice was sent.
8. **Records Maintained.** Proof of compliance with these regulations shall be a condition precedent to any petition for reinstatement.